<div align="center">**Zoning Board of Appeals**
Minutes
March 21, 2022</div>

A meeting of the zoning Board of Appeals (ZBA) was held in person at 380 Great Road, Stow and via the zoom Web Conferencing Service on March 21, 2022 at 6:30 pm.

Present: Mark Jones, William Byron, Ernest Dodd, David Hartnagel and Andrew DeMore

Associate Members: Leonard Golder and Andy Crosby

Absent: Associate Members Michael Naill and Ruth Kennedy Sudduth

The Meeting was called to order at 6:30 pm.

Deliberations - 92/102 Great Road Special Permit Application (Volume II, Page 855)
Members discussed the Application for Special Permit filed Richard Presti on behalf of the Presti Family Limited Partnership to allow a carport at 92/102 Great Road.

Andrew DeMore said the request for a carport seems straightforward and questioned how the Board responds to comments that the application is not complete.

David Hartnagel questioned why the draft decision refers to the 2017 Decision when the Application has to do only with the carport.

Karen Kelleher noted the reason for the reference to the 2017 Decision in the draft is because those issues were brought up at the public hearing.

Leonard Golder noted that as long as the carport is the size of one car and the use is to prepare one car for delivery it should be okay.

Members noted that the carport is located on asphalt.

Andy Crosby said the biggest issue is that lighting needs to conform to the zoning bylaw, which is included in the draft decision. Ernest Dodd said that the Building Commissioner has enforcement authority. The ZBA's role is to write a decision and make sure the decision states lighting must conform to the Zoning Bylaw.

Ernest Dodd noted that the existing building does not meet the east side property line setback requirement, which should be 50 feet because it abuts a Residential District. Andrew DeMore said he agrees with Ernest Dodd about the setbacks. When he drove by the site it was daytime, so he can't speak to the lighting.

Andrew DeMore noted as an analogy - the proposed carport is an accessory building/use not unlike a shed is an accessory building/use on a residential lot.

David Hartnagel said it appears the lighting is in the interior of the carport. He has no objection to lighting as long as it is compliant with the Zoning Bylaw.

David Hartnagel asked if the carport is anchored. Richard Presti explained the carport is anchored to the pavement.

Richard Presti said the Board has a legitimate concern about lighting, which will be addressed.

William Byron said he previously made a remark about delivery of cars was made without a carport. In the past. He now knows most larger dealerships have a specified space to deliver the vehicle.

Members reviewed the Draft Decision.
Ernest Dodd said he does not feel the need for an overall site plan as the proposed carport is a simple structure and would not increase runoff or increase the number of vehicles on the site.

Ernest Dodd noted that the right-of-way shown on the plan has been extinguished and referred to the deed.

William Byron noted that the plan does not indicate where the carport is located on the site relative to anything else. It was recommended that the decision include a condition to provide an as-built site plan indicating the location of the carport depicting setbacks and dimensions to be submitted to the Building Commissioner and the Board.

Ernest Dodd moved to grant the Special Permit for a Carport at 92/102 Great Road and to approve the draft decision as amended. The motion was seconded by David Hartnagel and carried by a vote of 5 members in favor (Mark Jones, William Byron, Ernest Dodd, David Hartnagel and Andrew DeMore).

Richard Presti noted that he thinks the Board came to a reasonable decision. He appreciates that the Board was very focused, deliberate and fair.

David Hartnagel moved to adjourn the meeting. The motion was seconded by Andrew DeMore and carried by a vote of 5 members in favor (Mark Jones, William Byron, Ernest Dodd, David Hartnagel and Andrew DeMore).

Respectfully submitted,

Karen Kelleher
Administrative Assistant